

ORDER

Matter is called out. Parties absent. I.A.IV is filed by the 1st defendant directing the defendants No.2 and 3 to deposit the amount of compensation payable on account of acquisition of land by the opponents before this court. The said application is not opposed by Sri. S.S. Advocate for defendant No.3 and counsel for the plaintiffs submits no objection of it. The application shows that the plaintiffs have filed the said suit praying for the relief of partition and separate possession of suit schedule properties. The 2nd defendant has acquired the land of item No.1 of suit schedule property for the 3rd defendant. The amount of compensation is already fixed by the 2nd defendant. The amount of compensation payable in respect of the land acquisition is already fixed and is lying in the hands of defendants No.2 and 3. The amount lying with defendants will not fetch any interest. As such it is proper to direct the defendants No.2 and 3 to deposit the amount before the court. The said application as well as the reason assigned by the 1st defendant about acquisition of the property and fixation of compensation are undisputed fact. As rightly submitted by the 1st defendant, if compensation amount is lying as it is, it could not fetch any interest. Therefore, the defendants No.2 and 3 hereby directed to deposit the amount in the court since it is not objected by the defendant No.3 and plaintiffs. On the above said observation the application of I.A.IV is allowed and direction is issued against defendants No.2 and 3 to deposit the amount.

Senior C.J. & JMFC.,
Nanjangud.

04.04.2026